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PHILADELPHIA, PA 19103

EXAMINER

NGUYEN, CUONG H

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 01/17/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/290,363

Applicant(s)

Peinado et al.

Examiner

Cuong H. Nguyen

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 9/19/2002 (formal drawings).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-142 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-142 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 10 20) ☐ Other:

DETAILED ACTION

1. This Office Action is the answer to the communication received on 8/22/02 & 9/19/2002 (the RCE & Sub. formal drawings).

2. Claims 1-142 are pending in this application

Drawings

3. This application has been filed with formal drawings which currently are acceptable for examining purposes.

Response to the request for RCE

4. Since the reason for previous allowance was "Whether a claimed method or a claimed of enforcement architecture for digital rights management, claims 1, 30, 56, 83, 106, and 126 are patentable distinct over references of **Stefik** et al. (US Pat. 5,715,403), **Rabne** et al. (US Pat. 6,006,332), and **Shear** et al. (US Pat. 6,112,181) because these references do not expressly disclose a modified arrangement wherein a structural relationship for a digital right management system is a content server that issues content coupled to a license server which is separate from the content server that issues a digital license corresponding to the digital content, as required by pending independent claims 1, 30, 56, 83, 106, and 126.", this reason for previous allowance didn't account for **Krishnan et al.** (US Pat. 6,073,124) (from the IDS submitted on 8/22/2002). **Krishnan et al.**'s reference makes pending claimed structural

relationship/arrangement become obvious with artisans for  
this pending utility invention because Krishnan et al.  
suggest that a license server is separate from a content  
server.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of  
35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly  
pointing out and distinctly claiming the subject matter which the applicant  
regards as his invention.*

*5. Claim 106 is indefinite for NOT "particularly pointing  
out and distinctly claiming the subject matter which the  
applicant regards as his invention. Claim 106 is directed  
to a computer-readable medium, implementing a method for  
enforcing rights of digital content. This claimed medium  
would contain an incomplete method after executing this  
step: "determining, by the DRM system, whether a right to  
render the digital content in the manner sought exists based  
on the at least one stored digital license corresponding to  
the digital content"; i.e., what would happen next after  
this would be indefinite.*

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

*Whoever invents or discovers any new and useful process,  
machine, manufacture, or composition of matter or any new and  
useful improvement thereof, may obtain a patent therefore, subject  
to the conditions and requirements of this title.*

6. Claims 106-125 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 106-125 called for an article of manufacture; however, above claims are directed to a method combining with an article of manufacture (process and product in a same claim), their limitations are not conforming to the required claim's format (See *Ex parte Lyell*, 17 USPQ2d 1548 - Bd. Pat. Appl. & Inter. 1990).

7. The examiner submits that claims 106-125 contain method steps (i.e., "...determining, by the DRM system, whether a right to render the digital content in the manner sought exists based on the at least one stored digital license corresponding to the digital content...", and "...receiving the digital content in an encrypted form..."); according to *Ex parte Lyell*, these claims are held to be ambiguous and properly rejected under 35 USC 112, 2<sup>nd</sup> para.; such claims 106-125 also be rejected under 35 USC 101 based on the theory that these claims are directed to neither a "process" nor a "article of manufacture" but rather embraces or overlaps two different statutory classes of invention set forth in 35 USC 101 which is drafted so as to set forth the statutory classes of invention in the alternative only.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

8. Since claims **56-82** of the application obviously suggests all limitations of claims **1-55, 83-142**, claims **56-82** are examined herein, other claims are rejected based on similar rationale and references because those claims contain lesser/broader limitations, or being very obvious in view of the given references and analysis for claims **56-82**.

9. Claims **1-142** are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Krishnan**, (US Pat. 6,073,124), in view of **Stefik** (US Pat. 5,715,403), in view of **Rabne et al.**, (US Pat. 6,006,332) about a rights management system for digital media, and further in view of **Shear et al.**, (US Pat. 6,112,181 about systems and methods for matching, selecting, narrowcasting, and classifying based on rights management), and further in view of the Official Notice.

A. Re. to claims **1, 56, 83**: Claims **1, 56, 83** are directed to a structure/system/ architecture for digital rights management, wherein the structure /system/architecture protect digital contents, the structure/

system/architecture, **Stefik** ('403) obviously suggests this concept in his patent about "System for controlling the distribution and use of digital works having attached usage rights"; comprising:

- a content server for distributing content over a network (this feature is inherent in **Krisnan & Stefik's** patents);

- a license server for issuing a license over said network, said server is separate from the digital content (see **Krisnan** Fig.3 ref.306 (CONTENT SUPPLIER SERVER) & REF.307 (LICENSE SERVER), also **KRISNAN** discloses "Detailed Description Text (19):

*In exemplary embodiments, the DCS server is implemented on one or more computer systems, each comprising a central processing unit, a memory and other input/output devices. Each of these computer systems may be a general purpose computer system, similar to that described in FIG. 5, which is connected to a network. The server systems that comprise the server portion may or may not include displays. The password generation data repository may be implemented using any well-known technique for implementing a database or any other type of data repository. Although shown as a separate facility, one skilled in the art will recognize that the data repository may be incorporated as a component of the computer system that is used to implement the licensing and purchasing broker. Further, one skilled in the art will also recognize that a variety of architectures are possible and can be used to implement exemplary embodiments of the DCS server.*

*Detailed Description Text (23):*

*data in the encrypted DCS security information file is encrypted separately from the content file to enable multiple items of merchandise to share purchasing, licensing, and decryption information. This capability is especially useful when the items are provided by the same content supplier server. Thus, a single encrypted DCS security information file may be associated with more than one encrypted content file. In addition, each field in the DCS security information file is encrypted separately. By separately encrypting each field, purchasing or licensing information can be changed without having to re-encrypt the content file or the rest of the DCS security information file."*, & also **Stefik ('403)**: "A system for ensuring that licenses are in place for using licensed products is described in PCT Publication WO 93/01550 to Griswold entitled "License Management System and Method." The licensed product may be any electronically published work but is most effective for use with works that are used for extended periods of time such as software programs. Griswold requires that the licensed product contain software to invoke a license check monitor at predetermined time intervals. The license check monitor generates request datagrams which identify the licensee. The request datagrams are sent to a license control system over an appropriate communication facility. The license control system then checks the datagram to determine if the datagram is from a valid licensee. The license control system then sends a reply datagram to the license check monitor indicating denial or approval of



usage. The license control system will deny usage in the event that request datagrams go unanswered after a predetermined period of time (which may indicate an unauthorized attempt to use the licensed product). In this system, usage is managed at a central location by the response datagrams. So for example if license fees have not been paid, access to the licensed product is terminated.");

- a computer to **receive contents** and a corresponding **license**; said computer has a memory, a use of said content, and being invoked by a use of said content (see Krisnan & Stefik ('403), this limitation is inherent).

The examiner also submits that all other claimed's limitations are well-known in the art (see extra cited references, and submitted IDS); cited prior art's limitations are not necessary spelled-out exactly claimed languages, because these prior references are also directed to a similar system/method for digital rights control/management. Please note that cited prior arts are not limited to the described embodiments in these disclosures. It is reasonable that modifications of the described method and system of the cited prior art would be apparent to those skilled in the art without departing from the scope and spirit of their inventions. Although these inventions have been described in connection with specific preferred embodiments, it should be understood that the inventions as claimed should not be unduly limited to such specific embodiments.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to suggest a system for combining the available teaching references (submitting as IDS documents) in the disclosure of **Krisnan, & Stefik**, because this would implement extra features of **Krisnan & Stefik** operation of a digital rights management system.

B. Re. to claim 57: Claim 57 is rejected under 35 U.S.C. § 103(a) as being unpatentable over **Krisnan** or **Stefik**, in view of the Official Notice.

**Krisnan** or **Stefik** suggests all of the elements claimed with the exception of using information over the Internet as the method of paying for the purchased books. The examiner takes Official Notice that paying for purchases using credit card information sent over the Internet is old and well established in the business of e-commerce as a convenient way for a consumer to pay for purchased items. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of paying for purchased items by using credit card information sent over the Internet because the skilled artisan would have recognized that this business practice streamlines the process and saves time spent by a consumer in making purchases and is clearly applicable to the sale of any type of product. These advantages are well known to those skilled in the art.

C. Re. to claim 57: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a server is coupled to the Internet and distributing data/(digital content) over the Internet (see at least the submitted articles in IDS of **Krisnan, Hauser, R.C.; Kaplan, M.A.; Kohl, U. et al.; Silbert, O. et al.; Stefik, M.; Weber, R.; and Ramanujapuram, A. et al.**).

D. Re. to claim 58: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are very well-known in computer-related art for: a license server is coupled to the Internet and issues license over the Internet (see at least the submitted articles of **Krisnan, Hauser, R.C.; Kaplan, M.A.; Kohl, U. et al.; Silbert, O. et al.; Stefik, M.; Weber, R.; and Ramanujapuram, A. et al.**).

E. Re. to claim 59: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a server is coupled to a portable medium writer and distributing content on a portable medium written by the portable medium writer, the portable medium selected from an optical storage medium (e.g. a CD), and a magnetic storage medium (e.g. a 3.5" floppy diskette), and wherein the computing device includes a portable medium reader corresponding to the portable medium writer for receiving and reading the portable medium.

F. Re. to claim 60: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a server distributes contents in an encrypted form.

G. Re. to claim 61: The rationale for rejection of claim 60 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a digital license having:

- a decryption key that decrypts the encrypted digital content; and

- a description of the rights conferred by the license,. (see at least the submitted articles of the IDS).

H. Re. to claim 62: The rationale for rejection of claim 61 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a digital object/license including a digital signature (that binds the license to the encrypted digital content - this is too obvious) (see at least the submitted articles of the IDS).

I. Re. to claim 63: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: structure/system/architecture wherein if the DRM system determines that the right to render the digital content in the manner sought does not exist based on any digital license stored in the computing device and corresponding to the digital content, such DRM system

directs a computing device user to the license server to obtain a digital license to render such digital content in the manner sought (see at least the submitted articles of the IDS).

J. Re. to claim 64: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a structure/system/architecture, wherein if the DRM system determines that the right to render the digital content in the manner sought does not exist based on any digital license stored in the computing device and corresponding to the digital content, such DRM system transparently obtains a digital license from the license server without any action necessary on the part of a computing device user (see at least the submitted articles of the IDS).

K. Re. to claim 65: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a structure/system/architecture, wherein the DRM system includes a license store for storing digital licenses (see at least the submitted articles of the IDS).

L. Re. to claim 66: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a structure/system/architecture, wherein each digital license corresponding to the digital content is

bound to such digital content (see at least the submitted articles of the IDS).

M. Re. to claim 67: The rationale for rejection of claim 66 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art for: a structure/system/architecture, wherein each digital license corresponding to the digital content is bound to such digital content by way of a public/private key technique. (see at least the submitted articles of the IDS).

N. Re. to claim 68: The rationale for rejection of claim 56 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the license server issues a digital license to a DRM system only if the license server trusts such DRM system to abide by the license (see at least the submitted articles of the IDS).

O. Re. to claim 69: The rationale for rejection of claim 68 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the content server distributes the digital content in an encrypted form, and wherein the DRM system includes a trusted black box for performing decryption and encryption functions for such DRM system.

P. Re. to claim 70: The rationale for rejection of claim 69 are incorporated. The examiner submits that the content of

this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the black box includes a unique public/private key pair (for performing the decryption and encryption functions); the fact that a black box includes a public/private key pair is not an inventive concept because of such an extra inclusion.

Q. Re. to claim 71: The rationale for rejection of claim 70 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the license server issues each digital license in response to a license request from the DRM system, the license request including the black box public key, the license server encrypting at least a portion of the digital license according to the black box public key prior to issuance of such license, thereby binding such license to such black box (see at least the submitted articles of the IDS).

R. Re. to claim 72: (Object due to a rejected parent claim) The rationale for rejection of claim 69 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/ architecture, wherein the server distributes the content in an encrypted form, wherein each license corresponding to the content includes a decryption key, and wherein the license server encrypts the decryption key in the license according to the black box public key.

S. Re. to claim 73: The rationale for rejection of claim 72 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein each digital license corresponding to the digital content further includes a description of the rights conferred by the license, wherein the encrypted digital contend cannot be decrypted and rendered without obtaining such license from the license server, and wherein the license server encrypts the rights description in the license according to the decryption key.

T. Re. to claim 74: The rationale for rejection of claim 69 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the black box includes a version number.

U. Re. to claim 75: The rationale for rejection of claim 69 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the license server issues each digital license in response to a license request from the DRM system, the license request including the version number of the black box, the license server determine prior to issuance of the license whether the version number of the black box is acceptable, the license server upon determining that the version number of the black box is not acceptable refusing to issue the



license until the black box is updated, the structure/system/ architecture further comprising a black box server for providing an updated black box to the DRM system.

V. Re. to claim 76: The rationale for rejection of claim 69 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the black box includes a certifying authority signature (as provided by an approved certifying authority); the fact that a black box includes a certifying authority signature is not an inventive concept because of a task that putting a signature at a place.

W. Re. to claim 77: The rationale for rejection of claim 76 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein the license server issues each digital license in response to a license in response to a license request from the DRM system, the license request including the certifying authority signature, the license server determining prior to issuance of the license whether the certifying authority signature is valid.

X. Re. to claim 78: The rationale for rejection of claim 68 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture, wherein each

digital license corresponding to the digital content  
includes a description of the rights conferred by the  
license, and wherein the DRM system includes a trusted  
license evaluator for evaluating the rights description and  
allowing rendering of the digital content by the rendering  
application only if such rendering is in accordance with the  
rights description of the license.

Y. Re. to claim 79: The rationale for rejection of claim  
56 are incorporated. The examiner submits that the content  
of this claims are notoriously well-known in computer-  
related art: a structure/system/architecture comprising an  
issued license database for maintaining information on  
digital licenses issued by the license server, wherein if  
the computing device loses a received license, a re-issue  
thereof may be provided based on the information in the  
issued license database.

Z. Re. to claim 80: The rationale for rejection of claim  
56 are incorporated. The examiner submits that the content  
of this claims are notoriously well-known in computer-  
related art: a structure/system/architecture comprising an  
authoring tool for authoring the digital content distributed  
by the content server in a form amenable to the  
structure/system/architecture.

10. Re. to claim 81: The rationale for rejection of claim  
80 are incorporated. The examiner submits that the content  
of this claims are notoriously well-known in computer-  
related art: a structure/system/architecture wherein the

authoring tool encrypts the digital content according to a decryption key and stores information on the digital content and the encryption key in a content-key database.

11. Re. to claim 82: The rationale for rejection of claim 81 are incorporated. The examiner submits that the content of this claims are notoriously well-known in computer-related art: a structure/system/architecture wherein the license server accesses the information on the digital content and the encryption key in the content-key database prior to issuance of a license corresponding to the digital content, and includes the decryption key with such license as issued.

The examiner also submits that all claimed's limitations are well-known in the art (see extra cited references, and submitted IDS); cited prior art's limitations are not necessary spelled-out exactly claimed languages, because these prior references are also directed to a similar system/method for digital rights management. Cited prior arts are not limited to the described embodiments in these disclosures. It is reasonable that various modifications and variations of the described method and system of the cited prior art would be apparent to those skilled in the art without departing from the scope and spirit of the invention. Although these inventions have been described in connection with specific preferred embodiments, it should be understood that the invention as

claimed should not be unduly limited to such specific embodiments.

12. Re. to Claims 2, 3, 32, 33, 84, 85: These claims are obvious similarly to limitations of claim 57. Therefore, same rationale and references would be applied for under 35 U.S.C. § 103(a) rejections.

13. Re. to Claims 4, 5, 34, 33, 86, 87: These claims are obvious similarly to limitations of claim 58. Therefore, same rationale and references would be applied for under 35 U.S.C. § 103(a) rejections.

14. Re. to Claims 6, 35, 88: These claims are obvious similarly to limitations of claim 59. Therefore, same rationale and references would be applied for under 35 U.S.C. § 103(a) rejections.

15. Re. to Claims 30-55: These claims have product-by-process formats. Therefore, same rationale and references of claims 56-82 would be applied for under 35 U.S.C. § 103(a) rejections as reasons below:

The examiner submits that all claimed limitations are inherent/well-known in a computer system, because these claimed limitations are very broad that they are easily recognized to be components of a computer system and said components would perform claimed tasks/steps; cited prior art's limitations are not necessary spelled-out exactly claimed languages, because cited prior art is also directed to a similar process/system for transferring money from a safe. **Stefik** or submitted IDS references are not limited to

the described embodiments in their inventions. It is reasonable that various modifications of the described method and system of the cited prior art would be apparent to those skilled in the art. Although their disclosures have been described in connection with specific preferred embodiments, it should be understood that their invention as claimed should not be limited to such specific embodiments.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the system of **Stefik** with suggestions readily available in the art submitted in the IDS, because these information would improve communication and security for a digital right management system.

***Conclusion***

16. Claims 1-142 are rejected.

17. These references are considered pertinent to applicants' disclosure.

- **Krishnan**, (US Pat.6073124 - 6/06/2000), Method and system for securely incorporating electronic information into an online purchasing application.
- From <http://www.findarts.com>, BreakerTech Joins Copyright Management Market, Computergram International 8/05/1999. This reference discloses an important issue of the pending application that "the issued digital license corresponds to and is separate from the digital content" (In "Amendment and Request for

Reconsideration", pg.16 lines 14-15) received at USPTO  
on 10/03/2001).

- **Stefik**, (US Pat. 5,715,403), discloses about a system for controlling the distribution and use of digital works having attached usage rights where the usage rights are defined by a usage rights grammar.
- **Stefik et al.**, (US Pat. 5,629,980), discloses about a system for controlling the distribution and use of digital works.
- **Van Wie et al.**, (US Pat. 5,943,422), discloses about a steganographic techniques for securely delivering electronic digital rights management control information over insecure communication channels.
- **Ginter et al.**, (US Pat. 5,982,891), discloses about a system and a method for secure transaction management and electronic rights protection.

18. Remarks: A. Some claims in this application would be objected to under 37 CFR 1.75 as being a substantial duplicate of a claim. E.g. when two claims in an application are duplicates are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k). Applicants are advised that should a claim be found allowable, another claim would be

objected to under 37 CFR 1.75 as being a substantial duplicate thereof.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong H. Nguyen whose telephone number is 703-305-4553. The examiner can normally be reached on Mon.-Fri. from 7:00 AM to 3:15 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703)308-1344.

Any response to this action should be mailed to:

Amendments

***Commissioner of Patents and Trademarks***  
***Washington D.C. 20231***

or faxed to: (703)305-7687 [Official communications;  
including After Final communications labeled "Box AF"]

703-746-5572 (RightFax) Informal/Draft communications,  
labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

*Cuong H. Nguyen*  
Primary Examiner  
Jan. 12, 2003